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Def. Doc. # 323

ARTICLE 20. The immunity from jurisdiction survives the tenure of office of diplomatic officers in so far as regards actions pertaining thereto; it may not, however, be invoked in respect to other actions except while discharging their diplomatic functions.

ARTICLE 21. Persons enjoying immunity from jurisdiction may refuse to appear as witnesses before the territorial courts.

ARTICLE 22. Diplomatic officers enter upon the enjoyment of their immunity from the moment they pass the frontier of the State where they are going to serve and make known their position.

The immunities shall continue during the period that the mission may be suspended, and, even after it shall be terminated, for the time necessary for the officer to be able to withdraw the mission.

ARTICLE 24. In case of death of the diplomatic officer, his family shall continue to enjoy the immunities for a reasonable term, until they may leave the State.

Cases on International Law - 2nd Ed. - Hudson (pp 798-99)

PURL: <http://www.legal-tools.org/doc/6fa0ea/>

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第十四條

外交官ニ關スル協定

一九二八年二月二十日 ハバナ ニテ採擇

外交官ハ其ノ身体、公私チ同ハズ其ノ住居及ビ財産ヲ侵サレザルモノトス此ノ不可侵ハ次ノ項ニ亘ル

1 全テノ階級ノ外交官

2 外交使節團ノ全職員

3 同一會屋ニ居住スル各家族

4 使節ノ文書、記録、書翰

第十五條

諸國ハ外交官ニ對シ充分ナル任務遂行ノ爲就中派遣口政府トノ自由ナル通信交換ヲナシ得ル目的ノ爲凡ユル便宜ヲ與フベキモノトス

第十六條

外交官ノ派遣セラレタル口ノ司法上、行政上ノ如何ナル官公吏モ外交官ノ住居ニ入ルヲ得ズ、又同意ヲ得ズシテ外交使節ノ住居ニ入ルヲ得ズ

第十八條

使節ハ其ノ派遣セラレタル國ニ於テ左ノ諸項ニ付免除ヲ受クルモノトス

1 口税ト地方税タルトモ同ハズ總テノ直接税

2 使節ノ舍屋ニ對スル地租但シ其ノ建物ガ各派遣國政府ニ屬スル場合トス

3 使節ノ公用ノ爲或ハ其ノ外交官又ハ家族ノ個人用トシテ使用セララルル物品ニ對スル國税

第十九條

外交官ハ其ノ派遣セラレタル國ノ全テノ民事上又ハ刑事上ノ裁判權ニ服セズ

外交官ハ自國政府ヨリ權限ヲ與ヘラレタル場合ヲ除キ、免除ヲ拋棄スルコトヲ得ズ且自國ノ裁判所ニ依ルニ非ザレバ起訴或ハ裁判ニ附セララルコトナシ

コノ裁判權ノ免除ハ外交官ノ職務期間後ト雖之ニ附隨スル行爲ニ關スル限り存續ス、但シソノ外交任務遂行中ニアラザル限り、他ノ行爲ニ關シテハ其ノ効力ヲ發セザルモノトス

第二十一條

裁判權行使ノ免除ヲ享有スル者ハソノ地ノ裁判所ニ證人ト
シテ立ツコトヲ拒否シ得ルモノトス

第二十二條

外交官ノ免除ノ享有ハソノ赴任シ地位ヲ明カニセントスル
國家ノ國境ヲ超ユル瞬間ヨリ始マルモノトス

第二十四條

免除ハソノ外交任務ノ中止セラルル期間繼續シ、又ソノ終
了後ト雖モソノ任務終了ニ必妥ナル期間繼續スルモノトス
外交官死亡ノ場合ニハ、ソノ家族ハソノ國家ヲ去ル迄ハ相
當ナル期間免除ノ享有ヲ繼續スルモノトス